S.B.CRIMINAL MISC. BAIL APPLICATION NO.5083/2006

Date : 13.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Pankaj Gupta for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that present application for bail has been moved on behalf of the father-in-law and omnibus allegations have been made against him. He submits that the deceased died natural death and allegations of demand of dowry and harassment are false.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and perused the post-mortem and also seen injuries which are

anti mortem in nature and on different parts of the body of the deceased.

Prima faice, allegations are there in First Information Report and in the statements recorded of the witnesses.

Taking into consideration the overall facts and circumstances of the present case, I do not feel inclined to grant bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. is rejected. However, the applicant shall be at liberty to move regular bail application after recording of material witnesses by the learned trial court. After recording of the statements of material witnesses, if any bail application is moved on behalf of the applicant, then, the learned trial court shall consider the same in accordance with law.

(SATYA PRAKASH PATHAK), J.